



*United States–Spain Treaties in Force,  
January 1, 2009*

**Protocol Amending the Air Transport Agreement between  
the Government of The United States of America and the  
Government of Spain Signed in Madrid on February 20,  
1973**

**Signed at Washington May 31, 1989  
Entered into force September 26, 1990.**

TIAS 11672



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STATUS:

Protocol amending the agreement of February 20, 1973.

Signed at Washington May 31, 1989;

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PROTOCOL AMENDING THE AIR TRANSPORT AGREEMENT BETWEEN THE  
GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE  
GOVERNMENT OF SPAIN SIGNED IN MADRID ON FEBRUARY 20, 1973

TEXT:

The Government of the United States of America and the Government of Spain have agreed to amend the Air Transport Agreement between the United States and Spain, signed at Madrid on February 20, 1973 (hereinafter referred to as "the Agreement"). (1)

NOTES

(1) TIAS 7725; 24 UST 2102.

Article I

The parties agree to include the following aviation security article as Article 6 Bis of the Agreement.

"ARTICLE 6 BIS

(a) In accordance with their rights and obligations under international law, the Parties reaffirm that their obligation to protect, in their mutual relationship, the security of civil aviation against acts of unlawful interference forms an integral part of this Agreement.

(b) The Parties shall provide upon request all necessary assistance to each other to prevent acts of unlawful seizure of aircraft and other unlawful acts against the safety of passengers, crew, aircraft, airports and air navigation facilities and any other threat to aviation security.

(c) Without limiting the generality of their rights and obligations under international law, the Parties shall act in conformity with the provisions of the Convention on Offences and Certain Other Acts Committed on Board Aircraft signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970 and the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation signed at Montreal on 23 September 1971. (2)



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(2) TIAS 6768, 7192, 7570; 20 UST 2941; 22 UST 1641; 24 UST 564.

(d) The Parties shall in their mutual relations act in conformity with the aviation security standards and, so far as they are applied by them, the recommended practices established by the International Civil Aviation Organization and designated as annexes to the Convention on International Civil Aviation. (3) They shall require that operators of aircraft of their registry or operators who have their principal place of business or permanent residence in their territory and the operators of airports in their territory act in conformity with such aviation security provisions. Each party shall give advance notice to the other of its intention to notify any difference relating to such standards.

NOTES

(3) TIAS 1591; 3 Bevans 944.

(e) Each Party agrees that such operators of aircraft may be required to observe the security provisions referred to in paragraph d above, required by the other Party for entry into, departure from, or while within the territory of that other Party and shall ensure that effective measures are taken within its territory to protect aircraft and to inspect passengers, crew, their carry-on items as well as cargo and aircraft stores prior to and during boarding or loading. Each Party shall also act favorably upon any request from the other Party for special, reasonable security measures to meet a particular threat.

(f) When an incident or threat of an incident of unlawful seizure of aircraft or other unlawful acts against the safety of passengers, crew, aircraft, airports and air navigation facilities occurs, the Parties shall assist each other by facilitating communications intended to terminate rapidly and safely such incident or threat thereof.

(g) When a Party has reasonable grounds to believe that the other Party has departed from the aviation security provisions of this article, that Party may request immediate consultations with the other Party. Without prejudice to Article 4 of this Agreement, failure to reach a satisfactory agreement within 15 days from the date of such request will constitute grounds to withhold, revoke, limit or impose conditions on the operating authorization or technical permission of the airlines of both Parties. When required by an immediate and extraordinary threat, a Party may take interim action prior to the expiry of 15 days. Any action taken in accordance with this paragraph shall be discontinued upon compliance by the other Party with the provisions of this Article."

Article II



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Article 4 of the Agreement is amended to include the following paragraph: "c. This article does not limit the rights of either party to revoke, limit or condition air services in accordance with the provisions of article 6 Bis."

Article III

This Protocol shall form an integral part of the agreement and shall enter into force on the date on which the Parties notify one another by means of an exchange of notes that their respective constitutional requirements have been fulfilled.

In witness whereof the undersigned, duly authorized thereto, have signed the present Protocol.

Done at Washington, D.C. on the thirty-first day of May 1989, in duplicate in the English and Spanish languages, both the texts being equally authentic.

SIGNATORIES:

FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

Charles Angevine

FOR THE GOVERNMENT OF SPAIN:

[Signature]